

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

1.2215 ACRES OF LAND, MORE OR
LESS, SITUATE IN HIDALGO COUNTY,
STATE OF TEXAS; AND CARLOS
GARZA, *ET AL.*,

Defendants.

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CASE NO. 7:20-CV-086

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule “A.”

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Roland D. Ramos*
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E-mail: Roland.Ramos@usdoj.gov

SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain a border security tower, roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tracts: RGV-MCS-T1033E, RGV-MCS-T1033E-1, RGV-MCS-T1033E-2

Owner: Carlos Garza, *et al.*

Total Acreage: 1.2215

RGV-MCS-T1033E (PERPETUAL TOWER EASEMENT):

BEING a tract of land situated in the Joaquin Ysidoro Ponce Survey, Abstract Number 69, Porcion No. 47, Hidalgo County, Texas, being part of Tract 3 of Subdivision of Porcion 47, an addition to Hidalgo County, Texas, as recorded in Volume 13, Page 36 of the Map Records of Hidalgo County, Texas, and being part of a called 158.42 acre tract of land described as Tract 11 in Gift Deed to The Juan Lino Garza Trust, Juan Lino Garza, Jr., Trustee, as recorded in Document Number 2369329 of the Official Records of Hidalgo County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with cap stamped "M&H" for the north corner of the northwest corner clip at the intersection of the west right-of-way line of F.M. 2221 (a variable width right-of-way, recorded in Volume 1389, Page 159, of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.)) with the north right-of-way line of US Highway 83 (variable width right-of-way, recorded in Volume 1411, Page 196, D.R.H.C.T.), and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,615,918.05, Easting 988,671.79;

THENCE North 08 degrees 52 minutes 09 seconds East, with the west right-of-way line of said F.M. 2221, a distance of 186.96 feet to a corner;

THENCE over and across said 158.42 acre tract, the following bearings and distances:

North 81 degrees 07 minutes 51 seconds West, departing the west right-of-way line of said F.M. 2221, a distance of 54.68 feet to a 5/8-inch set iron rod with 2-inch aluminum cap stamped "RGV-MCS-T1033E-(corner#1)" for the POINT OF BEGINNING, and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,616,111.20, Easting 988,646.60;

South 08 degrees 52 minutes 09 seconds West, a distance of 100.00 feet to a 5/8-inch set iron rod with 2-inch aluminum cap stamped "RGV-MCS-T1033E-(corner#2)" for corner, and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,616,012.40, Easting 988,631.18;

North 81 degrees 07 minutes 51 seconds West, a distance of 100.00 feet to a 5/8-inch set iron rod with 2-inch aluminum cap stamped "RGV-MCS-T1033E-(corner#3)" for corner, and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,616,027.81, Easting 988,532.38;

North 08 degrees 52 minutes 09 seconds East, a distance of 100.00 feet to a 5/8-inch set iron rod with 2-inch aluminum cap stamped "RGV-MCS-T1033E-(corner#4)" for corner, and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,616,126.61, Easting 988,547.80;

South 81 degrees 07 minutes 51 seconds East, a distance of 100.00 feet to the POINT OF BEGINNING AND CONTAINING 0.2296 of an acre (10,000 square feet) of land, more or less.

RGV-MCS-T1033E-1 (PERPETUAL ROAD AND UTILITY EASEMENT):

BEING a tract of land situated in the Joaquin Ysidoro Ponce Survey, Abstract Number 69, Porcion No. 47, Hidalgo County, Texas, being part of Tract 3 of Subdivision of Porcion 47, an addition to Hidalgo County, Texas, as recorded in Volume 13, Page 36 of the Map Records of Hidalgo County, Texas, and being part of a called 158.42 acre tract of land described as Tract 11 in Gift Deed to The Juan Lino Garza Trust, Juan Lino Garza, Jr., Trustee, as recorded in Document Number 2369329 of the Official Records of Hidalgo County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with cap stamped "M&H" for the north corner of the northwest corner clip at the intersection of the west right-of-way line of F.M. 2221 (a variable width right-of-way, recorded in Volume 1389, Page 159, of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.)) with the north right-of-way line of US Highway 83 (variable width right-of-way, recorded in Volume 1411, Page 196, D.R.H.C.T.), and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,615,918.05, Easting 988,671.79;

THENCE North 08 degrees 52 minutes 09 seconds East, with the west right-of-way line of said F.M. 2221, a distance of 124.59 feet to a 1/2-inch set iron rod with blue plastic cap stamped "HALFF ESMT" (hereinafter referred to as "with cap") for the POINT OF BEGINNING, and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,616,041.14, Easting 988,691.00;

THENCE over and across said 158.42 acre tract, the following bearings and distances:

North 81 degrees 07 minutes 51 seconds West, departing said west right-of-way line of F.M. 2221, a distance of 54.68 feet to a 1/2-inch set iron rod with cap for corner;

North 08 degrees 52 minutes 09 seconds East, a distance of 60.00 feet to a 1/2-inch set iron rod with cap for corner;

South 81 degrees 07 minutes 51 seconds East, a distance of 54.68 feet to a 1/2-inch set iron rod with cap for corner on the west right-of-way line of said F.M. 2221;

THENCE South 08 degrees 52 minutes 09 seconds West, with the west right-of-way line of said F.M. 2221, a distance of 60.00 feet to the POINT OF BEGINNING AND CONTAINING 0.0753 of an acre (3,281 square feet) of land, more or less.

RGV-MCS-T1033E-2 (TEMPORARY WORK AREA EASEMENT):

BEING a tract of land situated in the Joaquin Ysidoro Ponce Survey, Abstract Number 69, Porcion No. 47, Hidalgo County, Texas, being part of Tract 3 of Subdivision of Porcion 47, an addition to Hidalgo County, Texas, as recorded in Volume 13, Page 36 of the Map Records of Hidalgo County, Texas, and being part of a called 158.42 acre tract of land described as Tract 11 in Gift Deed to The Juan Lino Garza Trust, Juan Lino Garza, Jr., Trustee, as recorded in Document Number 2369329 of the Official Records of Hidalgo County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch found iron rod with cap stamped "M&H" for the north corner of the northwest corner clip at the intersection of the west right-of-way line of F.M. 2221 (a variable width right-of-way, recorded in Volume 1389, Page 159, of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.)) with the north right-of-way line of US Highway 83 (variable width right-of-way, recorded in Volume 1411, Page 196, D.R.H.C.T.), and having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16,615,918.05, Easting 988,671.79;

THENCE South 48 degrees 58 minutes 19 seconds West, with said corner clip, a distance of 17.04 feet to a corner;

THENCE over and across said 158.42 acre tract, the following bearings and distances:

North 81 degrees 07 minutes 51 seconds West, departing said corner clip, a distance of 189.02 feet to a corner;

North 08 degrees 52 minutes 09 seconds East, a distance of 200.00 feet to a corner;

South 81 degrees 07 minutes 51 seconds East, a distance of 200.00 feet to a corner on the west right-of-way line of said F.M. 2221;

THENCE South 08 degrees 52 minutes 09 seconds West, with the west right-of-way line of said F.M. 2221, a distance of 186.96 feet to the POINT OF BEGINNING AND CONTAINING 0.9166 of an acre (39,928 square feet) of land, more or less.

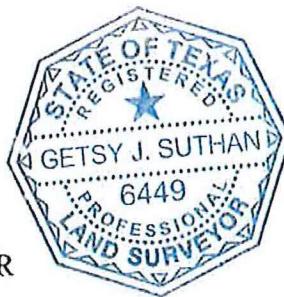
The field work was completed on February 07,

2018. Date of Plat or Map: February 22, 2018.

G. J. Suthan

March 22/18

GETSY J. SUTHAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 6449
TBPLS FIRM NO. 10029600



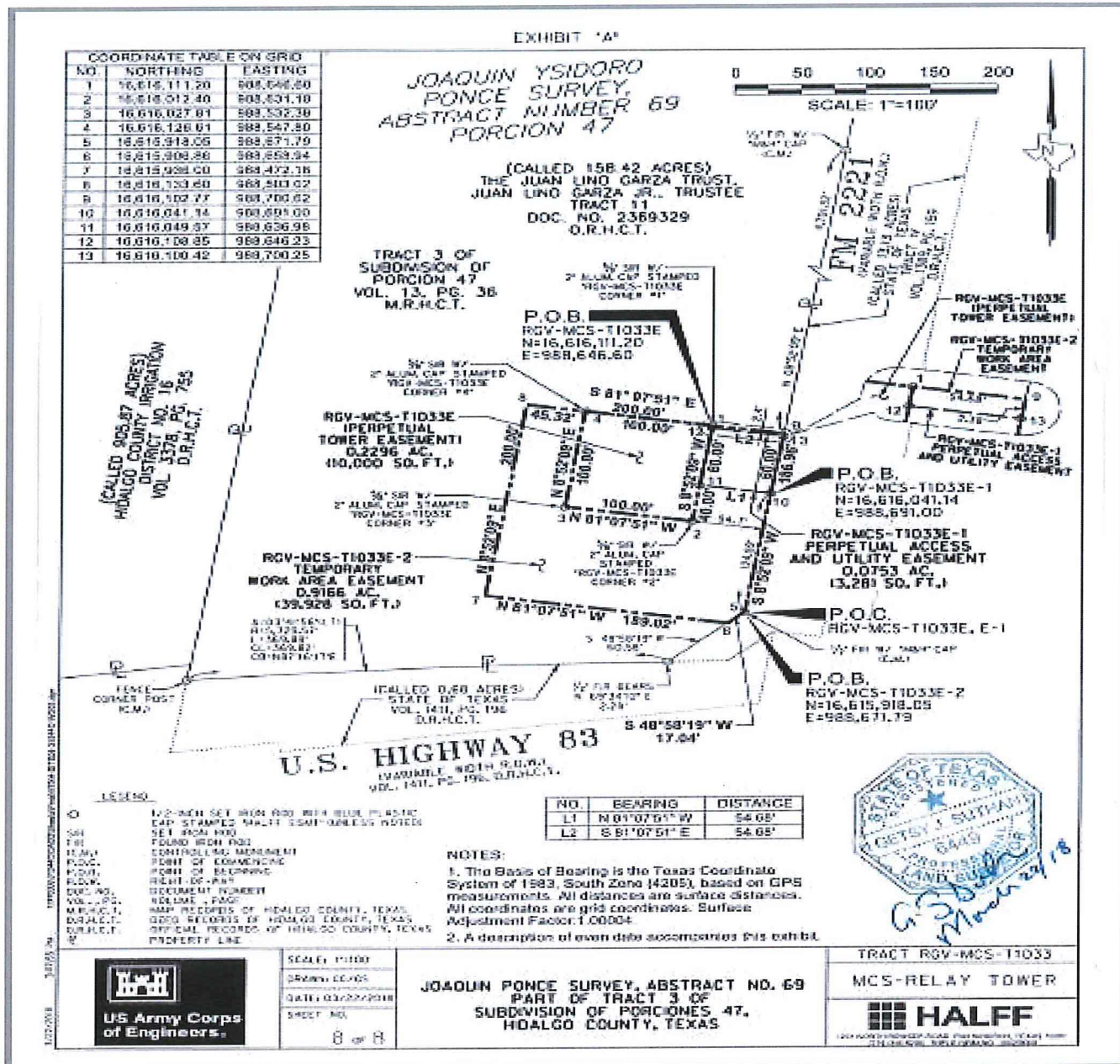
lay (TE 1083)

SCHEDULE D

SCHEDULE D

MAP or PLAT

LAND TO BE CONDEMNED



Tracts: RGV-MCS-T1033E, RGV-MCS-T1033E-1, RGV-MCS-T1033E-2

Owner: Carlos Garza, et al.

Total Acreage: 1.2215

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Hidalgo County, Texas

Tracts: RGV-MCS-T1033E, RGV-MCS-T1033E-1, RGV-MCS-T1033E-2

Owner: Carlos Garza, *et al.*

Total Acreage: 1.2215

Perpetual Tower Easement

Tract No. RGV-MCS-T1033E (.2296 acres)

An exclusive, perpetual and assignable easement and right-of-way in, on, over, and across the land described in Schedule C, beginning with date of possession of the land is granted to the United States, for use by the United States, its representatives, agents and contractors for the location, construction, operation, maintenance, alteration, repair, and patrol of permanent tower(s) and associated facilities; together with the right to trim, cut, fell and remove any vegetative or structural obstacles that interfere within the tower corridor; subject to existing easements for public roads and highways, public utilities, railroads and pipelines.

Road and Utility Easement

Tract No. RGV-MCS-T1033E-1 (0.0753 acres)

A perpetual, non-exclusive and assignable easement and right-of-way in, on, over, under and across the land described in Schedule C, beginning with date of possession of the land is granted to the United States, for use by the United States, its representatives, agents and contractors for the location, construction, operation, maintenance, alteration and replacement of a road and aboveground and underground utility lines and appurtenances thereto; together with the right to trim, cut, fell and remove any vegetative or structural obstacles that interfere within the right-of-way; subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving however, to the

owners, their heirs and assigns, the right to use the surface of such land as access to their adjoining land or for any other use consistent with its use as a road and/or utility easement.

Temporary Work Area Easement

Tract No. RGV-MCS-T1033E-2 (.9166 acres)

A temporary easement and right-of-way in, on, over and across the land described in Schedule C, for a period not to exceed two years, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the RGV RVSS Towers Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the 'rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

SCHEDULE

F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the lands being taken is SEVENTEEN THOUSAND NINE HUNDRED DOLLARS AND NO/100 (\$17,900.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

This amount is allocable among the separate tracts as follows:

TRACT RGV-MCS-T1033E:

The sum estimated as just compensation for the land being taken is ELEVEN THOUSAND FOUR HUNDRED EIGHTY DOLLARS AND 00/100 (\$11,480.00), to be deposited herewith in the registry of said Court for the use and benefit of the persons entitled thereto.

TRACT RGV-MCS-T1033E-1:

The sum estimated as just compensation for the land being taken is ONE THOUSAND EIGHT HUNDRED EIGHTY THREE DOLLARS AND 00/100 (\$1,883.00), to be deposited herewith in the registry of said Court for the use and benefit of the persons entitled thereto.

TRACT RGV-MCS-T1033E-2:

The sum estimated as just compensation for the land being taken is FOUR THOUSAND FIVE HUNDRED THIRTY SEVEN DOLLARS AND 00/100 (\$4,537.00), to be deposited herewith in the registry of said Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Landowners:	
Carlos Garza [REDACTED] Mission, TX 78574	Special Warranty Deed, Document # 2006-1659608; Recorded September 5, 2006, Deed Records of Hidalgo County
Jaime Isaac Carrales, as an Independent Executor of the Estate of Maria Rita Garza Carrales [REDACTED] Penitas, TX 78576	Termination of Trust, Document # 2005-1421923; Recorded January 7, 2005, Deed Records of Hidalgo County
Eduardo Garza [REDACTED] Penitas, TX 78576	Termination of Trust, Document # 2005-1421923; Recorded January 7, 2005, Deed Records of Hidalgo County
Elma Garza Cantu [REDACTED] Edinburg, TX 78539	Termination of Trust, Document # 2005-1421923; Recorded January 7, 2005, Deed Records of Hidalgo County
A. A. Garza, Ltd. c/o Aida A. Garza Lopez (Registered Agent) 10604 Big Thicket Dr. Austin, TX 78747	Special Warranty Deed, Document # 2012-2368432; Recorded December 21, 2012, Deed Records of Hidalgo County
Juan Lino Garza Trust Juan Lino Garza, Jr., Trustee [REDACTED] Penitas, TX 78576	Gift Deed, Document # 2012-2369329; Recorded December 27, 2012, Deed Records of Hidalgo County

<p>Guadalupe Garza Jr. [REDACTED] Edinburg, TX 78541</p> <p>Garza Family Living Trust Guadalupe Garza, Jr., Trustee [REDACTED] Edinburg, TX 78541</p> <p>Punkin Holdings, Ltd. c/o Diana H. Garza (Registered Agent) 1 1/2 Mile N. Jackson Rd. Edinburg, TX 78539</p> <p>Romulo Garza Jr. Dynasty Trust and Roxanne Garza Dynasty Trust c/o Romulo Garza Jr., Co-Trustee [REDACTED] New York, NY 10023</p> <p>Romulo Garza Jr. Dynasty Trust and Roxanne Garza Dynasty Trust c/o Roxanne Garza, Co-Trustee [REDACTED] Washington, DC 20009</p>	<p>Warranty Deed, Document # 1983-48481; Recorded December 30, 1983, Deed Records of Hidalgo County</p> <p>Termination of Trust, Document # 2005-1421923 Recorded January 7, 2005, Deed Records of Hidalgo County</p> <p>Special Warranty Deed, Document # 2009-1968032; Recorded February 4, 2009, Deed Records of Hidalgo County</p> <p>Special Warranty Deed, Document # 2012-2368198; Recorded December 27, 2012, Deed Records of Hidalgo County</p> <p>Special Warranty Deed, Document # 2012-2368198; Recorded December 27, 2012, Deed Records of Hidalgo County</p>
<p>Pablo “Paul” Villarreal, Jr. Hidalgo County Tax Assessor-Collector 2804 S. Business Hwy. 281 Edinburg, TX 78539</p>	<p>Tax Authority</p>
<p>FOR SUBORDINATION PURPOSES ONLY</p> <p>Kinder Morgan Tejas Pipeline, LLC Capitol Corporate Services, Inc. (Registered Agent) 206 E. 9th St., Ste. 1300 Austin, TX 78701</p>	<p>Right of Way Agreement, Document # 2013-2456811; Recorded October 17, 2013, Deed Records of Hidalgo County; and Cathodic Protection Agreement, Document # 2004-1377519;</p>

<p>DCP Midstream, LP C T Corporations Systems (Registered Agent) 1999 Bryan St., Ste. 900 Dallas, TX 75201</p> <p>AEP Texas, Inc. C T Corporation System (Registered Agent) 1999 Bryan St., Ste. 900 Dallas, TX 75201</p> <p>CPL Retail Energy, LP (f/k/a Central Power and Light Company) Corporate Creations Network, Inc. (Registered Agent) 5444 Westheimer, #1000 Houston, TX 77056</p> <p>Intrastate Gathering Corporation C P Corp. System (Registered Agent) 811 Dallas Ave. Houston, TX 77002</p> <p>State of Texas Secretary of State Statutory Documents Section, Citations Unit 1019 Brazos Street</p>	<p>Recorded September 3, 2004, Deed Records of Hidalgo County</p> <p>Surface Site Lease, Document # 2008-1939495; Recorded October 21, 2008, Deed Records of Hidalgo County</p> <p>Easement and Right of Way, Document # 2008-1917442; Recorded August 8, 2008, Deed Records of Hidalgo County; and Easement and Right of Way, Document # 2005-1531654; Recorded October 13, 2005, Deed Records of Hidalgo County</p> <p>Easement and Right of Way, Document # 2001-1009247; Recorded September 20, 2001, Deed Records of Hidalgo County; and Easement and Right of Way, Document # 2001-963943; Recorded April 25, 2001, Deed Records of Hidalgo County; and Easement and Right of Way, Document # 1954-8306; Recorded June 22, 1954, Deed Records of Hidalgo County; and Easement and Right of Way, Document # 1950-19498; Recorded November 9, 1950, Deed Records of Hidalgo County</p> <p>Right of Way Agreement, Document # 1985-133878; Recorded October 1, 1985, Deed Records of Hidalgo County</p> <p>Slope Easement, Document # 1973-28999; Recorded December 4, 1973, Deed Records of Hidalgo County; and Right of Way Easement,</p>
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<p>Austin, TX 78701</p> <p>La Joya Water Supply Corporation Pablo Vela, Jr. (Registered Agent) 4100 N. 23rd St. McAllen, TX 78504</p> <p>Tennessee Gas Transmission Company Capitol Corporate Services, Inc. (Registered Agent) 206 E. 9th St., Suite 1300 Austin, TX 78701</p> <p>United Irrigation (f/k/a Hidalgo County Water Control & Improvement District No. 16) Mike Warshak (General Manager) P.O. Box 877 Mission, TX 78573</p> <p>Hidalgo County, Texas Richard F. Cortez Hidalgo County Judge 100 E. Cano, 2nd Floor Edinburg, TX 78539</p> <p>Continental Pipeline Company Corporation Service Company (Registered Agent) 211 E. 7th St., Suite 620 Austin, TX 78701</p>	<p>Document # 1973-28998; Recorded December 4, 1973, Deed Records of Hidalgo County; and Right of Way Easement, Document # 1973-28757; Recorded November 30, 1973, Deed Records of Hidalgo County</p> <p>Right of Way Easement, Document # 1966-7550; Recorded April 22, 1966, Deed Records of Hidalgo County</p> <p>Right of Way Agreement, Document # 1955-20373; Recorded December 2, 1955, Deed Records of Hidalgo County</p> <p>Easement, Document # 1954-13878; Recorded October 21, 1954, Deed Records of Hidalgo County</p> <p>Right of Way Easement, Document # 1954-6403; Recorded May 10, 1954, Deed Records of Hidalgo County; and Right of Way Easement, Document # 1944-51381; Recorded October 31, 1944, Deed Records of Hidalgo County</p> <p>Right of Way Contract, Document # 1952-18619; Recorded November 29, 1952, Deed Records of Hidalgo County</p>
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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE